

COUNCIL POLICY MANUAL



CITY COUNCIL POLICY MANUAL
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City of Anaheim

COUNCIL POLICY

Subject: Council Policies

Policy #

1.0

Adopted Date:

06/05/07

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The purpose of Council policies is to establish standard practices and procedures for implementation by the City Council, City boards and commissions, and City staff which express the general intention and directives of the City Council.

All City Council policies continue in full force and effect until expressly amended or rescinded notwithstanding any changes in City Council membership. Council policies shall be adopted, amended or rescinded only by a resolution duly adopted by the City Council. The City Council may deviate from or waive the provisions of any Council policy on a case-by-case basis by motion adopted by at least a majority of a quorum of its members. The policies memorialized in the City Council Policy Manual (the "Policy Manual"), adopted, amended and restated in full by City Council Resolution No. 2007-078 as said Policy Manual may thereafter be amended, shall constitute the exclusive expression of policies by the City Council. Any prior City Council policies not set forth in Resolution No. 2007-078 shall be deemed rescinded and of no further force and effect, provided, however, nothing contained herein shall be deemed to prohibit the City Council from taking an action consistent with such former policy or readopting such prior policy in the manner provided herein.

Upon the adoption, amendment or rescission of any City Council policy, the City Clerk is authorized and directed to immediately revise and update the Policy Manual to reflect such change. The City Clerk shall be the custodian of records of the Policy Manual and shall keep the Policy Manual, and make it available to all City Departments and the public in either hard copy or electronic format, or both.

The policies set forth in this Policy Manual shall be deemed directory. Failure to comply with the provisions or terms of any such policy shall not be deemed a violation of any law nor be the basis for any legal action against the City, any City officer or employee, or any other person or entity.

City of Anaheim

COUNCIL POLICY

Subject: **City Council Travel
Reimbursement Policy**

Policy # **1.1**
Adopted Date: **10/06/64**
Amended: **06/12/84**
 03/28/06
 06/05/07

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PURPOSE

The purpose of this policy is to (i) define and clarify authorized reimbursable general business expenses in accordance with California Government Section 53232 *et seq.*, including, but not limited to travel, business meals, lodging, conference expenses, professional memberships, employee functions, and other related expenditures incurred while conducting City business; and to (ii) establish procedures for authorization and reimbursement of such expenses.

SCOPE

This policy is applicable to the Mayor and Members of the City Council and to the members of those certain boards, commissions, and committees which are expressly hereinafter enumerated in this Section II.

It is the policy of the City Council that no member of any city board, commission or committee shall be entitled to reimbursement for any expenses incurred in the performance of such member's official duties except as expressly provided in this Section II, or as may be otherwise expressly authorized by the City Council.

Members of the Planning Commission, Housing and Community Development Commission, Public Utilities Board, Library Board, Workforce Investment Board, and Deferred Compensation Committee shall be entitled to reimbursement of reasonable travel, lodging and subsistence expenses incurred by such members related to any educational, training or informational conference, seminar or other business event attended for official purposes, provided that (i) such member's attendance and the nature and maximum amount of the expenses to be reimbursed are approved in advance by the department head of the City department which oversees or provides staff liaison services to such board, commission or committee, (ii) the amount of such expenses has been appropriated in such department's annual budget for such purpose, and (iii) such member submits an itemized expense claim and receipts for expenses in conformance with the requirements of this policy.

The restrictions contained in this policy shall not apply to, nor be deemed to prohibit, any fixed amount expense allowances as established and authorized by City ordinance.

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EXCEPTIONS

In accordance with Government Code Section 53232.2(f), all expenses that do not fall within the adopted travel reimbursement policy must be approved by the City Council, in a public meeting, before the expense is incurred.

AUTHORITY

This policy is adopted under the legal requirements of Government Code Section 53232 *et seq.*

DEFINITIONS

For the purpose of this policy, the following definitions will be used:

- Elected Officials - those individuals elected by the citizens of Anaheim to office.
- Appointed Officials - members of the Planning Commission, Housing and Community Development Commission, Public Utilities Board, Library Board, Workforce Investment Board, and Deferred Compensation Committee. Such term shall also include members of any other board, commission or committee to the extent the City Council, by duly adopted motion, expressly authorizes such reimbursement.
- Agency - the City Council, and any board, commission or committee which is expressly subject to this policy, and any board, commission or committee to the extent the City Council hereinafter expressly authorizes reimbursement for any official business activity of its members.
- Member - any elected or appointed official subject to this policy.

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Members shall be expected to exercise good judgment and show proper regard for economy when incurring expenses in connection with official City business. The principle of “reasonable and necessary” should be used when deciding to expend taxpayer money.

The following sections list expense classifications for information and guidance in determining expenses which are appropriate for City business-related purposes, memberships in professional organizations, and subscriptions to business-related newspapers and journals.

AUTHORIZATION AND REIMBURSEMENT POLICY FOR TRAVEL AND RELATED EXPENSES

A. Specific Occurrences

Government Code Section 53232.2(b) requires the City Council to specify the types of occurrences that qualify a Member to receive reimbursement of expenses relating to travel, meals, lodging, and other actual and necessary expenses. Accordingly, the City Council has adopted the following list of occurrences as approved:

- Meetings with government and business leaders.
- Conferences, training, and educational trips, including visiting other governments to discuss and observe best practices.
- Lobbying trips.
- Business-related trips where a benefit to the City can be defined.

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B. Transportation

The following transportation modes may be employed for the purpose of traveling on City business:

1. Airfare

Domestic Air - All Members shall utilize coach or tourist class accommodations when traveling within the continental United States by commercial airline. Reservations, where possible, should be made at least 14 days in advance to take advantage of all available discounts. Increased fees related to late booking may be disallowed without a sound business reason. Travel can be made through a City-approved travel agent or on a personal credit card. Credit card purchases will be reimbursed only for the actual round-trip fare and only after the trip. Members may, at their own expense, pay to upgrade their airline accommodations.

International Air - For travel outside of the continental United States, Members may choose to travel business class with sound business justification and benefit to the City.

2. Private Automobile - Members will be reimbursed actual mileage (not to exceed coach or tourist class airfare where commercial air travel is a reasonably available alternative) for the use of their private cars in travel to and from designated places(s) on City business outside the City. The reimbursement rate will be at the rate in the City's current approved mileage rates. For Members who receive a monthly auto allowance, no reimbursement shall be allowed. Members who do not receive a monthly auto allowance shall be reimbursed for total round-trip miles.

3. Garage and Parking Expenses - Expenses for necessary parking and storage of private or City vehicles may be authorized. Receipts or other reasonable verification should be provided to obtain reimbursement.

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Subject: **City Council Travel
Reimbursement Policy**

Policy # **1.1**

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4. Vehicle Rentals, Taxi, and Transit Fare - Out of town expenses for such transportation may be authorized where reasonable and necessary to conduct City business. Receipts must be provided to obtain reimbursement. When vehicle rental is chosen over taxi or shuttle service, there should be a business reason or economic benefit to support the rental decision. If rental vehicle is subsequently denied, the related parking fees will also be denied and the employee will be reimbursed the round trip shuttle and taxi charges.

C. Lodging

Expenses will be allowed for adequate lodging. Price is an issue in selecting “adequate lodging.” Prudence and good stewardship should be used when selecting a hotel. Itemized receipts for lodging must be provided to obtain reimbursement. Lodging in connection with a conference or event held in a hotel qualifies as adequate lodging for purposes of the policy. However, if lodging at the event hotel is not available, lodging is then limited to the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available at the time of booking. If the group rate is not available, the employee shall use comparable lodging that is consistent with the requirements of this policy.

Lodging expenses are limited to the cost of the room plus related taxes, and will be reimbursed after the stay. Advance room deposits may be made directly to the hotel. However, in such instances, the advance deposit **MUST** appear on the Expense Report as such. Personal expenses incurred at the hotel, such as movies and laundry, are not reimbursable.

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D. Meals

Reasonable and customary expenses for meals are authorized for Members as required to conduct official City duties. The maximum that will be reimbursed for meals in one day, including beverages, shall be the Internal Revenue Service reimbursement rate applicable to the specific locality, excluding gratuity. This sum can be split among meals as desired and should be reduced accordingly for less than full business days. Members who, during the normal course of performing their duties, must provide meals for representatives of other governmental agencies or other persons doing business with the City in order to effectively execute their responsibilities are authorized to exceed the meal allowance, but must use prudent judgment, and excessive amounts are subject to disallowance. In such cases, the meal must be documented with a description of the purpose of the meal(s), including an explanation of its necessity to the City, and a list of all persons, including other Members who were in attendance, specifying their organization and/or title.

E. Tips and Gratuities

Reasonable expenses for tips are allowable for meals (as limited above), hotel, and transportation purposes.

F. Reimbursement/Reporting of Travel Expenses

In accordance with Government Code Section 53232.3, Members shall submit Expense Reports and/or Petty Cash Forms within ninety (90) days after incurring the expense, and the reports shall be accompanied by the receipts documenting each expense. Such documentation includes, but is not limited to:

1. Credit card slip or meal receipt.
2. Hotel receipt.
3. Conference brochure.
4. Meeting agenda.
5. Trip or meeting purpose.
6. Other attendees at a meal or meeting.

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**Subject: City Council Travel
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The reason for the expenses should be clearly documented on the Expense Report or Petty Cash Forms or in the attached documents.

If any part of a Member's expenses were paid by an Anaheim employee, the Member shall identify that employee on the Expense Report form.

A member shall not be required to submit an Expense Report for any expense paid directly by another Member or City employee. A Member of City employee who pays a City expense on behalf of a Member, either by use of a City-issued credit card or by any other means for which reimbursement is sought, shall submit an Expense Report or Petty Cash Form indicating the name of the recipient Member and the nature, amount and business purpose of the expenditure. A copy of said Expense Report shall be provided to the recipient Member within thirty days following the date such expense is incurred.

In accordance with Government Code Section 53232.3 (e), all documentation relating to reimbursable Agency expenditures shall be subject to disclosure under the California Public Records Act, Government Code Section 6250, *et seq.*

G. Public Trip/Meeting Report

In accordance with Government Code Section 53232.3(d), a Member requesting reimbursement shall provide a brief report on meetings attended at the expense of the local Agency at the next regular meeting of the Agency. Such reports may be made orally or may be addressed in writing on the consent calendar of the agenda.

H. Registration Fees

Convention or meeting registration fees qualify for reimbursement. The City will pre-pay conference registrations prior to the date of the event. In cases where early registration is not possible, a receipt or registration form illustrating the fee amount must be provided with the reimbursement request. In all cases, a brochure or registration document must accompany the payment voucher or petty cash voucher.

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**Subject: City Council Travel
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I. Telephone, Telegraph, and Fax

Telephone, telegraph, and fax expenses may be incurred only for the conduct of City business. One daily telephone call to an employee's family for a reasonable duration will be reimbursed by the City. Members are encouraged to use cell phones when available.

J. General Business Meals

Members who, during the normal course of performing their duties, must provide meals for representatives of other governmental agencies or other persons doing business with the City in order to most effectively execute their responsibilities are authorized to exceed the meal allowance, but must use prudent judgment, and excessive amounts are subject to disallowance. In all cases, the attendees and a reason for the meal must be documented.

K. No Shows and Late Cancellation

This section addresses situations where a Member fails to attend an event after incurring expenses. Such expenses include conference fees, prepaid hotel charges, and airline charges.

If a Member is unable to attend a planned trip, including a conference or general business meeting, it is the Member's responsibility to ensure any prepaid fees are refunded to the City. For any fees not fully refunded, the Member shall attach a written explanation to the Expense Report Form addressing the reason(s) they were unable to attend.

L. Miscellaneous

All items of expense otherwise unclassified shall be considered in this category. Examples of such expenses which may be authorized are public stenographer fees, duplicating expenses, and the cost of publications of value to the City. Other expenses, as necessary when traveling on City business, may be allowed and should be included within this classification when requesting reimbursement.

City of Anaheim

COUNCIL POLICY

**Subject: City Council Travel
 Reimbursement Policy**

Policy # 1.1

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All expenditures and requests for reimbursement shall logically relate to the conduct of City business and shall be “necessary” to accomplish the purposes of such business and shall be “reasonable” in amount.

Reference: Previous Council Policy 114

City of Anaheim

COUNCIL POLICY

Subject: **City Board or Commission
Members - Gifts**

Policy # **1.2**
Adopted Date: **01/27/87**
Amended: **06/05/07**

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It is the policy of the City Council that no member of any City Board or Commission shall accept any gifts from any one source during any twelve-month period which gifts would have an aggregate value sufficient to require such member to be disqualified from participating in any decision affecting the source of such gifts under the provisions of the Political Reform Act of the State of California.

Reference: Previous Council Policy 123

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COUNCIL POLICY

**Subject: Board and Commission
Staff Work**

Policy # 1.3
Adopted Date: 09/13/88
Amended: 06/05/07

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Due to constantly increasing demands for service upon members of the City Staff and the need to ensure the orderly, efficient and economical operation of the City, it is the policy of the City Council that:

1. No member of any City board or commission shall request or make any demands upon any City staff member for any information, reports, services or work of any nature other than (i) inquiries which can be answered routinely and immediately without additional research or work impacting upon the time of such staff member, or (ii) requests made by such person as a member of the general public, and not in his or her official capacity, and to which requests the staff responds in the same manner as would be provided to any other member of the general public.
2. Any request made to the City staff by official action of any City board or commission for any information, reports, services or work of any nature which, when combined with other such requests from such board or commission to any individual City department, is anticipated to require a cumulative total of more than four (4) hours of staff time of such department to perform shall require the advance approval of the City Manager, or his designee, prior to performance of the work. The decision of the City Manager, or his designee, shall take into consideration (i) the need for the information or work for the effective performance of the duties of the board or commission, (ii) the staff work hours and/or cost involved in performing the work, (iii) the impact of such request up[on the efficient, orderly and economical operation of the department(s) involved, and (iv) such other matters as the City Manager, or his designee, finds germane to such decision.

The term "City" as used in this policy shall include the Anaheim Redevelopment Agency, Anaheim Housing Authority, Industrial Development Authority, Community Center Authority, and any other entity created, in whole or part, by the City Council of the City of Anaheim and for which the City of Anaheim provides staff; except nothing contained herein shall be deemed to curtail or prohibit the performance of any work by any member of staff to the extent the same is required by law or by any contract to which the City is a party.

The term "staff" as used in this policy shall mean any City employee, consultant or contractor.

Reference: Previous Council Policy 124

City of Anaheim

COUNCIL POLICY

**Subject: Business Cards For
Commissioners**

Policy # 1.4
Adopted Date: 05/24/00
Amended: 06/05/07

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A prudent number of business cards shall be made available to any city board and Commission member, upon request. Any misuse or abuse of said business cards shall be grounds for removal by the City Council.

Reference: Previous Council Policy 1X

City of Anaheim

COUNCIL POLICY

Subject: Special Event Financial Support

Policy # 1.5
Adopted Date: 06/27/95
Amended: 06/05/07
10/06/15

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It is the City policy to value and encourage events, programs and services that benefit residents of the City. Historically, the City has supported various community events either with in-kind support or financial support based on citywide community need and budgetary allocations. In order to ensure equitable opportunity for organizations to submit proposals, the City is formalizing the process in which organizations/groups receive City support. This policy will provide the basis for the City to enter into a (1) **Formal City Sponsorship** relationship, with monetary support; or 2) **Informal Co-Sponsorship** support for City sponsored special events. Requests for support will be approved in an equitable manner, ensuring a variety of programs, services and community organizations receive the available support.

A. REQUIREMENTS

The City may provide **Formal City Sponsorship** via monetary funding and/or **Informal Co-Sponsorship** of in-kind services to support nonprofit entity events, programs or services that benefit Anaheim residents. City sponsorship for monetary assistance will be administered by means of written agreements (“Agreements”) that set out what a community partner can expect of the City and what the City requires of its partners. All Agreements must comply with all applicable City regulations and policies. Agreements may not commit the City to additional operating and/or maintenance responsibilities, ongoing financial obligations, or program or service responsibilities beyond the current fiscal year.

Informal Co-Sponsorship relationships may be approved by the Director of Community Services. The City periodically provides support to an event or program through the use of Informal Co-Sponsorship which does not provide monetary support, but may include: waiving of facility rental fees, city staff support to provide advice and/or logistical guidance, or permission to use the City logo on marketing materials. The Director of Community Services may approve the Informal Co-Sponsorship relationship with an organization or group that provides an event, program or service that is open to the public.

The amount of funding allocated for approved events may range from a minimum of \$1,000 to a maximum of \$10,000. Total value of City support shall not exceed \$10,000 per organization per fiscal year, and may not exceed the City approved budget (this includes but is not limited to waiver of facility rental fees, staff costs and/or equipment rental fees). The value of resources provided by the City in support of a partner event, program or service shall not exceed the value of the partner’s contribution.

The City has the sole discretion to determine whether an event benefits its residents and should therefore be a recipient of support under this policy and reserves the right to decline any request for Formal City Sponsorship or Informal Co-Sponsorship (in-kind support) if acceptance is determined

City of Anaheim

COUNCIL POLICY

Subject: Special Event Financial Support

Policy # 1.5
Adopted Date: 06/27/95
Amended: 06/05/07
10/06/15

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not to be in the best interest of, or would create a conflict of interest for, the City. In addition, the City will not sponsor any event if doing so would cause the City to violate Article XIII, Section 24 of the California Constitution or the First Amendment to the United States Constitution.

B. ELIGIBILITY

In determining an organization's eligibility for Formal City Sponsorship or Informal Co-Sponsorship, a recommendation shall be made by City staff to the City Council based upon the following criteria:

1. The requestor is an incorporated nonprofit organization with a 501(c)(3) designation; or a California certified tax-exempt nonprofit organization; or a public agency, including public schools or school foundations in school districts; or a committee formally established by City Council or an established club, association or organized group that provides services and programs directly to Anaheim for the benefit of its residents. Preference and priority will be given to organizations based in Anaheim.
2. A requestor that is a commercial enterprise would not qualify unless the event, program or service is open to the general public, benefits the greater Anaheim community and provides no commercial benefit to requestor.
3. The requestor's mission and goals in providing the event, service or program:
 - a. Are compatible with the City's priorities;
 - b. Enhance current City programs or core services by providing additional programming, financial and/or in-kind resources, community outreach, staffing, volunteers or other tangible support to the City.
4. The requestor's event is open to the public and does not require any entrance fees paid for admittance.
5. The requestor's event provides significant citywide value, presented for the anticipated enjoyment and participation by a broad spectrum of the Anaheim community; the event shall not intentionally nor by design be presented for or intended to draw participation from a specific neighborhood area or region within the City and shall not exclude the participation of any segment of the community.
6. The requestor's prior relationships with the City have been successful (e.g., fees timely paid, documentation submitted complete and timely)
7. The requestor can provide verification of availability of City facility or capacity of programmatic function.
8. The requestor understands that City support is not for individual gain, and is not intended to provide City support for business purposes or commercial enterprise.
9. The requestor may receive support once per fiscal year; any previous support does not guarantee any ongoing future support.

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COUNCIL POLICY

Subject: Special Event Financial Support

Policy # 1.5
Adopted Date: 06/27/95
Amended: 06/05/07
10/06/15

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C. APPLICATION PROCESS

Application and Proposals - An application for Formal City Sponsorship of Community Events, Programs and Services must be submitted no later than March 31 to apply for support for the following fiscal year (fiscal year runs July – June respectively). Application and Agreement procedures described are administrative and may be modified by the Director of Community Services, or designee, when appropriate.

1. Organizations must submit an application along with a written proposal to the Director of Community Services for Formal City Sponsorship for Community Events;
2. Proposal must include description of organization, including full legal name and address of the organizing group along with a description of the organization including its purpose and goals or mission (including any applicable 501(c)(3) number) along with names, phone numbers, address and email address of each person on the organizing group and the name of the representative with the organizing group that is prepared to meet and work with a City representative;
3. Summary of proposal to include the description of the event, program or service, and how it benefits the Anaheim community;
4. List of City funding and/or in-kind services requested (this includes but is not limited to waiver of facility rental fees, staff costs and/or equipment rental fees, plus any monetary funding; please note the combined total may not exceed \$10,000 per organization, per fiscal year);
5. Description of how the City's sponsorship and funding will complement other in-kind and monetary support already attained or to be attained for successful event implementation;
6. Proposed event date(s), including dates for event load-in and load-out, location, event size and scope, anticipated public attendance of Anaheim residents;
7. Summary of event organizer's experience planning and implementing the proposed event or an event of similar size and scope;
8. Description of the number of volunteers and volunteer hours anticipated for event coordination and implementation; and
9. Description of how the event will be marketed and indicate through what venues will the City have the opportunity to be recognized on marketing materials. Community organizations must adhere to the City's branding and logo guidelines and must seek permission prior to using the City logo. City has final approval of materials with City logo prior to distribution.

Subject: Special Event Financial Support

Policy # 1.5
Adopted Date: 06/27/95
Amended: 06/05/07
10/06/15

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D. SELECTION PROCEDURE AND PROPOSAL ASSESSMENT

A panel comprised of city staff, to be designated by the City Manager, shall review and recommend proposals to the City Council in accordance with proposed fiscal year budget. Proposals must be submitted to the Director of Community Services **no later than March 31 of each fiscal year** for staff to allocate upcoming resources accordingly. The amount of funding allocated to a proposed event will be determined based on need and overall benefit to the community. All proposals are contingent upon the approval of the City budget. In assessing proposals and the amount of funding that may be provided, the City will consider the following criteria, in no particular order of importance.

1. Production of measurable outcomes in alignment with City budget and priorities;
2. Ability to meet community needs;
3. Demonstrated public support for the service or program;
4. Level of community partner's contribution to the project;
5. Organizational capacity of the group or entity applying for the support;
6. Operational sustainability (ability of collaborator to offer the event in the absence of City support);
7. Commitment to ensuring ongoing public access;
8. Financial viability;
9. Project timelines;
10. Costs versus benefits of the event or program;
11. Impact on existing City operations, assets and facility resources;
12. Media exposure opportunities;
13. Involvement by other entities including partners, contractors and/or sponsors;
14. Event planning and execution history;
15. Proposal submitted by March 31 deadline;
16. Any other factors deemed relevant to the collaboration;
17. Number of Anaheim residents the program or event serves; and
18. Financial need of the group or entity applying for support.

E. AGREEMENT

An Agreement will be developed containing the material terms and obligations for approval by authorized representatives of the requesting party and the City. The Agreement will include a description of the contractual relationship, roles and responsibilities of the City and the community group/organization. Indemnification and insurance will be required as part of the Agreement in accordance with City policy. Funds will not be released until proof of insurance is received by the City.

City of Anaheim

COUNCIL POLICY

**Subject: City Council Regular
Meeting Agenda Setting**

Policy # 1.6
Adopted Date: 04/17/12
Amended: 09/30/13
Amended: 12/20/16
Amended: 02/28/17

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Any member of the City Council may, during the City Council Communications portion of a City Council meeting, request that an item be placed on a future City Council regular meeting agenda. The Mayor shall have the authority to place an item on a future agenda outside of an open City Council meeting through the City Manager's Office.

Reference: Resolution No. 2016-241
Resolution No. 2017-041

City of Anaheim

COUNCIL POLICY

**Subject: Appointments to Regional
 Boards and Commissions**

**Policy # 1.7
Adopted Date: 11/13/12**

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Unless otherwise required by law, all Anaheim City Council appointees to any regional board or commission shall be a resident of Anaheim, or, where appropriate, city employees.

City of Anaheim

COUNCIL POLICY

**Subject: Use of Electronic
 Communication Devices
 During City Council Meetings**

**Policy # 1.8
Adopted Date: 10-06-15
Amended:**

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The City Council's use of electronic communication devices, such as cell phones, during a City Council meeting may lead to the public's perception that a Councilmember is not paying attention to the subject matter at hand or that a Councilmember is receiving information relative to the subject matter at hand that other Councilmembers and members of the public are not receiving, either one of which is inimical to good government and transparency. Therefore, a Councilmember's use of electronic communication devices (including cell phones), other than for the purpose of accessing agenda materials that are on a Councilmember's I-pad/tablet device or lap top computer, is prohibited during Council meetings. This policy does not prohibit using an electronic communications device in the event of an urgent family matter.

City of Anaheim

COUNCIL POLICY

**Subject: Selection/Appointment
 of Mayor Pro Tempore**

**Policy # 1.9
Adopted Date: 01/09/18**

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At a regular meeting in December of each odd-numbered calendar year, or at a regular meeting following the declaration of results of the general municipal election in each even numbered year, a member or members of the City Council shall nominate and, by majority vote, the Council shall select one of its members to serve as Mayor Pro-Tempore effective January 1 of the following year. The Council Member selected as Mayor Pro Tempore shall not serve two consecutive terms. In the event of a vacancy in the position of Mayor Pro-Tempore, the vacancy will be filled by the nomination/appointment process set forth in this policy.

Reference: Resolution No. 2018-005

City of Anaheim

COUNCIL POLICY

Subject: Recognitions and City Proclamations

Policy # 1.10
Adopted Date: 12/19/17

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A. PURPOSE

Proclamations and certificates of recognition are ceremonial documents issued by the City of Anaheim and signed by the entire City Council to honor and celebrate events, observances or individuals in order to increase the public awareness of noteworthy causes or actions that enhance our community. The purpose of this policy is to provide guidelines and criteria for properly recognizing activities and individuals that are significant to the City of Anaheim. This policy also provides procedures that address how to process requests for proclamations and certificates of recognition, while defining those types of events and activities that are not eligible.

A proclamation is a ceremonial document issued by the City Council to commemorate a specific observance (day, week, or month) for the purpose of honoring, celebrating or creating awareness of an event, important milestone or an exemplary individual in Anaheim. A certificate of recognition is also a ceremonial document issued by the City Council to Anaheim individuals, businesses, or organizations recognizing group achievements and/or milestones that are significant to the Anaheim community.

B. CRITERIA

In order to qualify for recognition by either proclamation or certificate of recognition from the City of Anaheim, the following criteria have been established:

Proclamations or certificates of recognition must relate specifically to an interest of the residents of the City of Anaheim and have a nexus to events or achievements occurring within the City of Anaheim;

Proclamations and certificates of recognition may be adopted to recognize the achievements of individuals or groups with an Anaheim connection or to support and recognize the philanthropic works of those local individuals or groups;

Proclamations and certificates of recognition may be adopted for annual observances that raise public awareness on important initiatives that are of interest to the Anaheim community.

Proclamations or certificates of recognition will not be issued for:

- Political Campaigns of any kind;
- Events or organizations with no direct relationship to the City of Anaheim;
- Events contrary to City policies or any applicable law or regulation;
- Campaigns intended for profit-making purposes;
- Attempts to influence government policy;
- Certain holidays that don't require independent recognition (Independence Day, Thanksgiving, etc.).

City of Anaheim

COUNCIL POLICY

Subject: Recognitions and City Proclamations

Policy # 1.10
Adopted Date: 12/19/17

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C. PROCEDURES

City Council members may request a proclamation or certificate of recognition to be placed on a future agenda per council policy 1.6 as long as it meets the criteria set forth in this policy. The proclamation or certificate of recognition will not be signed or scheduled for distribution until it is formally approved by the City Council. City staff may also initiate placing a proclamation or certificate of recognition on a council agenda for consideration.

Anaheim citizens and organizations can also request proclamations or certificates of recognition directly through the City Council Office. Requests must be transmitted to the city at least a month in advance of the desired completion date. All outside requests shall include either a sample proclamation to be used as a guide or shall provide sufficient information to assist the City Council Office in preparing the proclamation. It is important to note that these requests will be forwarded to the City Council for their consideration and approval and does not guarantee that a request will be approved by the City Council.

By default, all approved proclamations and certificates of recognition will be provided to an individual or organization either at an event, via the mail, or during the “Acceptance of Other Recognitions” portion of a City Council Meeting. The Mayor shall approve special requests to provide a proclamation or certificate of recognition via formal presentation during a City Council meeting.

At the conclusion of each year, a memorandum will be provided to the City Council outlining all of the proclamations and certificates of recognition that were approved throughout the year.

City Council members may utilize other methods to acknowledge outstanding achievement or key milestones within the community without seeking formal council approval. Individual council members may provide a certificate of recognition to an individual or organization with their own signature only. Further, council members can provide personalized letters to individuals and organizations on their city letterhead. Both of these alternatives allow City Council Members to expeditiously recognize individuals and groups, as opposed to the more formal requirements of proclamations and certificates of recognition that are signed by the entire City Council.

Reference: Resolution No. 2017-187

City of Anaheim

COUNCIL POLICY

Subject: **Ethics Training for all City
Council Appointed Boards and
Commissions and City Council
Staff**

Policy # **1.11**
Adopted Date: **06/12/18**

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The City Attorney's office shall provide training in ethics similar in content to that required by state law, together with training on the Brown Act, to all appointed City Council boards and commissions at the first meeting or the meeting immediately thereafter following the scheduled annual appointments set forth in section 1.04.391.030 of the Anaheim Municipal Code. This policy shall not substitute for the requirements of Government Code §53235, et. seq., and board and commission members required to participate in mandatory training pursuant to that section will participate in the required training.

All staff of the city council who receive compensation shall complete ethics training as provided under §53235 of the Government Code, and such certificate of completion shall be posted on the city's Transparency in Government webpage.

Reference: **Resolution No. 2018-060**

City of Anaheim

COUNCIL POLICY

Subject: **Sale of Merchandise In City
 of Anaheim Parks**

Policy # **2.0**
Adopted Date: **04/08/75**
Amended: **06/12/84**
 06/05/07

Page (1) of (1)

It is the policy of the City Council that requests of schools and local non-profit organizations for permission to sell or offer for sale any merchandise, articles or other things in City parks or recreational facilities are to be handled administratively by the Community Services Director or his/her designee.

“Local organization” is defined to be any organization that has substantial local membership residing within the City of Anaheim, or that benefits from the sales activities will accrue in substantial part to the citizens of Anaheim.

All other requests, and/or appeals by persons denied permission by the Community Services Director or his/her designee shall be forwarded to the City Council for appropriate action.

Reference: Previous Council Policy 120

City of Anaheim

COUNCIL POLICY

**Subject: Community Services Agency
 Funding**

**Policy # 2.1
Adopted Date: 07/20/82
Amended: 06/05/07**

Page (1) of (1)

It is the policy of the City Council that requests for funding from community service agencies will be accepted in accordance with the Annual City Budget.

Reference: Previous Council Policy 121

City of Anaheim

COUNCIL POLICY

**Subject: City-Controlled Parking
Facilities**

Policy # 3.0
Adopted Date: 05/18/93
Amended: 06/05/07

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The City Council, from time to time, has established, by Resolution, fees relating to parking at Anaheim Stadium and the Anaheim Convention Center. Waiver of all or part of such fees is not authorized without the advance approval of the City Council except in the following situations:

1. Participants involved in the Visitor and Convention Bureau-sponsored promotional events shall be authorized to use City-controlled parking facilities at “no charge.”
2. Participants involved in tours of the Stadium shall be authorized to use City-controlled parking facilities at “no charge.”
3. Participants involved with food and beverage activities at the Stadium and Convention Center shall be authorized to use City-controlled parking facilities at “no charge.”
4. Participants involved with organized game sales efforts at the Stadium shall be authorized to use City-controlled parking facilities at “no charge.”
5. Participants involved with activities through the Anaheim Union High School District shall be authorized to use City-controlled parking facilities at “no charge,” in accordance with an agreement between the Anaheim Union High School District and the Community Center Authority.
6. The City continue to allow “no charge” parking at the AMTRAK rail station located on Stadium property for up to 405 vehicles.
7. Those City employees (both full-time and part-time) and all those temporary employees and regular employees of contractors, tenants and concessionaires, who are permanently assigned to work at the Stadium or Convention Center shall be authorized to use such respective City-controlled parking facilities at “no charge” when such employees are parking for the purpose of working.
8. City Council Members, Community Center Authority members, and authorized City officials and employees shall be authorized to use City-controlled parking facilities at “no charge.”

City of Anaheim

COUNCIL POLICY

**Subject: City-Controlled Parking
Facilities**

Policy # 3.0

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9. Employees and representatives of authorized service, repair and delivery companies shall be authorized to use City-controlled parking facilities at “no charge” when authorized by facility management.
10. Patrons temporarily parking at the Stadium or Convention Center for box office or other assistance shall be authorized to use the City-controlled parking facilities at such location at “no charge” while engaged in such activities.
11. Participants in meeting with the City or with any tenant or contractor at the Stadium or Convention Center shall be authorized to use the City-controlled parking facilities at the site for such meeting at “no charge.”
12. Clients, during event contract periods, shall be authorized to use City-controlled parking facilities at “no charge” when authorized by facility management.
13. Sponsors as authorized by any sponsorship agreement.

The Convention, Sports and Entertainment Executive Director be authorized to enter into discussions with service contractors to limit “no charge” parking at these facilities.

Except as expressly provided hereinabove, parking fees shall not be waived without the advance approval of the City Council.

Reference: Previous Council Policy 013

City of Anaheim

COUNCIL POLICY

Subject: Purchasing Procedures

Policy # 4.0

Adopted Date: 08/08/78

Amended: 06/08/88

04/20/04

06/05/07

11/09/10

11/08/11(effective: 12/15/11)

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Pursuant to Section 1206 of the City Charter and Sections 1.04.260 and 1.04.270 of the Anaheim Municipal Code, the City Council hereby adopts the following rules and regulations governing the contracting for, purchasing, storing, and distribution of supplies, materials, equipment, and services. The term “contracts,” as used herein, shall include purchase orders. The term “bids” shall include proposals.

1. Contracts under \$5,000 shall be made in accordance with procedures, as authorized by the City Manager and implemented by the Purchasing Agent of the City of Anaheim, unless a different procedure is established by the City Council or the City Council expressly approves such contract.
2. Contracts in excess of \$5,000 but not more than \$20,000, shall be made in the manner set forth in Section 1.04.270 of the Anaheim Municipal Code.
3. Contracts in excess of \$20,000 shall be made as follows:
 - A. Notice inviting bids shall be published on the Internet. Bid results will be posted on the City’s website. This requirement may be waived at any time by the City Council at its sole and absolute discretion by a duly adopted motion of the City Council.
 - B. In the event a published notice, as described in paragraph 3A, is waived by the City Council, the Purchasing Agent shall solicit at least three sealed bids except as provided in paragraph 3D.
 - C. Sealed bids may be received in paper copy or secured electronic format at the discretion of the Purchasing Agent.
 - D. Should a City department desire to restrict the bids to specified sources, or to limit the purchase to a single source, justification therefore shall be presented to the City Council for approval at the time of, or at any time prior to, approval of the contract by the City Council.

City of Anaheim

COUNCIL POLICY

Subject: Purchasing Procedures

Policy #

4.0

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- E. The Purchasing Agent shall publicly open the bids at a time and place set forth in the published notice or solicitation.
- F. Except for those contracts specified in Paragraph 3G, award and contract shall be made to the lowest responsible bidder who has submitted a responsive bid.
- G. Bids solicited for any contract for which the criteria for evaluation and award, as specified in any of the bid documents, is not based solely upon monetary costs, shall be evaluated in accordance with the criteria, as set forth in the bid documents. The City may exercise its absolute discretion in awarding any such contract.
- H. For contracts not exceeding \$100,000 in value (not including the value of any renewal, extension or renewal options), the Purchasing Agent is authorized to execute the contract and to bind the City without previous approval of the City Council, pursuant to Section 1.04.260 of the Anaheim Municipal Code.
- I. For contracts that include renewal or extension options, if the total compensation payable by the City during each renewal or extension period does not exceed \$100,000, the Purchasing Agent may execute the agreement. If the total compensation payable by the City during any renewal or extension period will or can exceed \$100,000, the Purchasing Agent will schedule the matter for City Council approval pursuant to A.R. 120.
- J. For contracts in excess of \$100,000 in value, following the review and evaluation of the bids, the Purchasing Agent shall present a recommendation to the City Council for the award of the contract.
- K. Any bid which does not conform to the minimum specifications or criteria established by the Purchasing Agent may be considered non-responsive.
- L. The City Council may, at its sole discretion, waive any irregularities in the bids or proposals to the extent otherwise permitted by law.
- M. The Purchasing Agent is authorized to execute Change Orders increasing a contract to a dollar value up to 10% more than the original bid value without rebidding when: (i) additional product or services of a like nature that were not foreseen by the using department at the time of bid are required by the City; (ii) budget appropriations are available; and (iii) in the professional opinion of the Purchasing Agent, it is in the City's best interest to do so.

City of Anaheim

COUNCIL POLICY

Subject: Purchasing Procedures

Policy #

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4. Local Bidder Preference:

In determining the lowest responsible bidder, the bid of any suppliers located within the City of Anaheim shall be credited with a one percent discount from the bid amount for the portion thereof which is subject to sales tax to the extent the City will receive a return of such tax amount.

5. Special Circumstances Requiring City Council Approval:

For procurements over \$20,000, if the Purchasing Agent finds it impractical, undesirable, or otherwise not in the City's best interest to request competitive bids for any specific procurement or to bid the same without Internet publication, the award recommendation and the reasons for waiving bidding or publication requirements shall be brought to Council for approval prior to executing the purchase order or service agreement.

6. Applicability of Policy:

The provisions of this policy shall not apply to:

- A. Any contract governed by and subject to the requirements of Section 1211 of the Charter of the City of Anaheim.
- B. Any contract for legal or other professional services, or for services as governed by the provisions of City Council Policy 4.1.
- C. The procurement of supplies, materials, equipment or services for which the Purchasing Agent is not responsible, as described in Section 1.04.310 of the Anaheim Municipal Code.
- D. Any contract made on behalf of the City by the City Manager, pursuant to the authority set forth in Section 518 of the Charter of the City of Anaheim.

City of Anaheim

COUNCIL POLICY

Subject: Purchasing Procedures

Policy #

4.0

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- E. Any contract as to which the provisions of this policy have been waived at any time prior to the award of the contract by a duly adopted motion of the City Council.
- F. Any contract awarded by the Purchasing Agent using pre-established cooperative purchasing agreements, or a pre-existing contract of another government agency, when such agreements or contracts resulted from competitive bids that would meet the bidding requirements of City purchasing regulations. Such agreements or contracts may be used in lieu of competitive bidding by the City when their solicitation was for equal or greater quantities of like items or services, purchased under similar terms and conditions, and the Purchasing Agent determines it is in the best interest of the City to do so.

References: Ordinance Nos. 5907, 6195 & 6227
Admin Reg. 300
Previous Council Policy 306

City of Anaheim

COUNCIL POLICY

**Subject: Selection of Professional
Consultants**

Policy # 4.1
Adopted Date: 08/28/79
Amended: 04/23/91
04/20/04
06/05/07
11/09/10
11/08/11(effective: 12/15/11)
03/07/17

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It is the policy of the City Council that the following procedures shall be used in the selection of technical consulting services (other than legal services). This policy shall include, but not be limited to, services in the following fields (legal services are not included):

Architecture
City and Regional Planning
Data Processing
Economic Analysis
Engineering (civil, mechanical, electrical, structural, traffic, etc.)
Environmental Analysis
Financial Analysis
Grant Writing
Landscape Architecture
Property Analysis
Training

Purpose of Policy:

Technical consultant services are of a professional nature, and due to the ethical codes of the professions involved, as well as the nature of the services to be provided, do not readily fall within the competitive bidding process. Technical consultants should be individually selected for a specific project or problem with the objective of selecting the most qualified consultant at a fair and reasonable cost.

Recommendation Process:

- A. Major Projects – Anticipated fee of more than \$100,000
1. Affected departments shall prepare a Request for Proposals (RFP) and invite a minimum of five (5) qualified firms to submit proposals.
 2. When five (5) potential firms are unavailable, or if it is in the best interest of the City to limit the number of firms solicited, the basis for such action shall be included in the report to City Council.

City of Anaheim

COUNCIL POLICY

Subject: Selection of Professional Consultants

Policy #

4.1

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3. A Review Board, selected by the Deputy City Manager or the appropriate department head or designee (hereinafter collectively referred to as “department head”) and composed of appropriate staff representatives and/or qualified outside representatives, will review the proposals received and select the most qualified firms for interviews. The Review Board shall rank the consultants based upon the following criteria:
 - a. Ability of the consultants to perform the specific tasks outlined in the RFP.
 - b. Qualifications of the specific individuals who will work on the project.
 - c. Amount of time and involvement of key personnel who will be involved in respective portions of the project.
 - d. Reasonableness of the fee requested to do the work.
 - e. Demonstrated record of success by the consultant on work previously performed.
 - f. The specific method and techniques to be employed by the consultant on the project or problem.
 - g. Any other criteria prescribed by the department head that is requiring the service(s).

B. Intermediate Projects – Anticipated fee between \$30,000 and \$100,000

1. Affected departments shall utilize procedures noted above and solicit proposals from a minimum of three (3) qualified consultants.
2. The department head shall make a selection based upon the criteria set forth in Section A(3).

City of Anaheim

COUNCIL POLICY

Subject: Selection of Professional Consultants

Policy #

4.1

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C. Minor Projects – Anticipated fee under \$30,000

1. The department head shall maintain current files on qualified consultants in appropriate categories. The department shall, by telephone, e-mail or letter, contact at least three (3) qualified consultants and request them to submit a proposal.
2. The department head shall make a selection based upon the criteria noted in Section A(3).

Approval Process:

For contracts with individuals or entities performing services that would otherwise be performed by individuals serving in one of the following four job classifications, the City Manager shall have the authority to enter into agreements requested by a City Council Member or the Mayor, provided the annual fees do not exceed \$100,000: City Council Aide I, City Council Aide II, Sr. Policy Aide and Chief Policy Advisor to the Mayor.

For projects involving fees that exceed \$50,000, the recommended selection shall be placed on the City Council Agenda. The recommendation shall include the fees quoted by each consultant and a summary of the basis used to select the recommended consultant.

For projects involving fees of less than \$50,000, the department head shall forward a contract recommendation to the City Manager. The recommendation shall include the fees quoted by each consultant and a summary of the basis used to select the recommended consultant.

Renewal of Contracts with Professional Consultants:

Requests to the City Manager/City Council to renew an existing contract with a professional consultant should include an evaluation of the work performed by the consultant as well as a determination that the fees being charged are comparable to fees for similar services offered by other consultants.

If the fee for the renewed contract does not exceed \$50,000, the City Manager may execute the agreement. If the fee exceeds \$50,000, the request will be placed on the Council agenda

City of Anaheim	COUNCIL POLICY	
Subject: Selection of Professional Consultants	Policy #	4.1
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Reporting:

Annually, the City Manager shall prepare and provide to the City Council, for information purposes, a list of contracts awarded valued at under \$50,000.

The award of Professional Services contracts valued over \$20,000 shall be published on the City's website.

Reference: Ordinance Nos. 6195 & 6227
Previous Council Policy 401
Resolution No. 2017-048

City of Anaheim

COUNCIL POLICY

Subject: Block Parties

Policy # 5.0

Adopted Date: 11/7/61

Amended: 06/05/07

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The City Council has authorized the Traffic and Transportation Manager to grant requests for the temporary closure of streets for the purpose of holding block parties.

General Requirements:

1. Completed applications along with a petition signed by at least one resident of each residential unit or business occupant of each commercial unit. The proposed area must be submitted at least five (5) working days in advance of the event.
2. A map of the propose block party area indicating the locations of the barricades must accompany the completed application.

The information will be reviewed by the Police, Fire and Public Works Departments, with final approval by the Traffic and Transportation Manager. The City Manager shall be advised of any unusual requests, i.e., other than private residential area block party requests.

**Reference: Previous Council Policy 007
Anaheim Municipal Code Section 12.12.020.0203 (as authority)**

City of Anaheim

COUNCIL POLICY

Subject: Speed Humps

Policy # 5.1
Adopted Date: 10/05/90
Amended: 06/05/07
Rescinded 04/22/08

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City of Anaheim

COUNCIL POLICY

Subject: **Street Closures and Prohibited
Street Access Rules and
Regulations for Street Closure
Studies**

Policy # **5.2**
Adopted Date: **12/13/88**
Amended: **05/14/91**
 06/05/07
Rescinded: **04/22/08**

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City of Anaheim

COUNCIL POLICY

Subject: Hillside Grading

Policy # 5.3

Adopted Date: 03/25/75

Amended: 03/20/90

06/05/07

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TRANSITIONAL AREAS

It is the policy of the City Council that “Transitional Areas” be required between developed areas and “Hillside Grading.” It is the intent that a transitional area be provided of a nature that will maintain and protect the desirable natural existing amenities of adjacent developed property. The scope and extent of the Transitional area required will be determined by individual review by the City Engineer.

The Council encourages that persons that propose to perform “Hillside Grading” participate in meaningful dialogue with adjacent citizens in developed areas to create a “spirit of understanding” and a share concern that the environment will be protected and improved to the fullest extent practicable.

CONTOUR GRADING

It is the policy of the City Council to encourage contour grading to be performed by persons engaged in Hillside Grading. In keeping with needs to create an environmental community life that provides aesthetic scenic amenities that enhance human sensibilities by visually harmonious hillsides, contour grading shall be required except where determined to be impracticable by the City Engineer.

HILLSIDE GRADING STANDARDS FOR CONTOUR GRADING

I. POLICY STATEMENTS

1. It shall be the policy of the City of Anaheim to encourage the use of imaginative grading techniques to improve the appearance of developments in hillside areas in general and in particular slope banks.
2. Linear slope banks, either cut or fill, are to be avoided.
3. Cut and fill slopes in excess of 200 feet in length shall have curved linear configurations where consistent with the recommendation of the soil engineer, engineering geologist and City Engineer.

City of Anaheim

COUNCIL POLICY

Subject: Hillside Grading

Policy # 5.3

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4. Where consistent with the recommendations of the soil engineer, engineering geologist and the City Engineer, a variety of slope ratios (for example: 1.75:1, 2:1, 2.5:1, 3:1, etc.) shall be applied to any cut or fill slope in excess of 200 feet in length. The steepest permissible slope ratio shall be 1.5:1.
5. Where the slope configuration is controlled by the design of an arterial highway, slope banks in excess of 25 feet in height adjacent to and projecting above the roadway shall be screened by the use of planting bays at the toe of slope and adjacent to the road right of way. A variety of slope ratios and horizontal radii shall be used to blend into the adjoining slopes.
6. A variety of slope ratios and horizontal radii shall be used to blend manufactured slopes into the adjoining natural terrain changes between manufactured and natural slope banks.

II. DESIGN CRITERIA

1. Curved Linear Slopes. Where a cut or fill slope exceeds 200 feet in horizontal length, the toe and/or top of the slope shall be curved in a convex and concave manner to provide a variety of slope ratios. The radius at the toe of the slope shall be no greater than 300 feet.
2. Transition with Natural Slopes. At the intersection of a manufactured cut or fill slope and a natural slope, a gradual transition or rounding or contours shall be provided with a minimum radius of 50 feet. Manufactured slope banks intersect at the building pad of no less than 25 feet.
3. Varying Slope Ratios. Where a manufactured cut or fill slope intersects with a natural slope, the manufactured slope approaching the natural slope shall utilize as nearly as possible the same ratio as the natural slope, but not steeper than 1.5:1. Where manufactured slope banks approach roadways at or near right angles above the elevation of the roadway, the slope shall be flattened at the point of intersection to a slope ratio of 3:1 or flatter. The corner of manufactured slope banks at street intersections shall be graded with a slope ratio of 3:1 or flatter through the curb returns.

City of Anaheim

COUNCIL POLICY

Subject: Hillside Grading

Policy # 5.3

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4. Planning Bays. Manufactured slope banks along arterial highways projecting above the roadway and exceeding 25 feet in height and 200 feet in length shall be screened through the construction of planting bays along the toe of the slope. Dimensions for these planting bays shall be as follows:

Slope Height:	25 to 50 feet
Bay Width:	10 feet
Minimum Length:	100 feet
Maximum Spacing:	250 feet between openings

Slope Height:	Over 50 feet
Bay Width:	15 feet
Minimum Length:	100 feet
Maximum Spacing:	250 feet between openings

Planning bays shall further be contour graded and planted with specimen size trees. The sidewalk in these areas may be placed away from the curb line to meander through landscaped bay area.

Reference: Previous Council Policy 211

City of Anaheim

COUNCIL POLICY

Subject:	Appraisals of Excess City-Owned Land to be Sold	Policy #	5.4
		Adopted Date:	03/13/79
		Amended:	06/12/84
			06/05/07

Page (1) of (2)

It is the policy of the City Council that the following guidelines shall be followed in determining whether to obtain appraisals of City-owned property:

Unbuildable Parcels: Consisting of former well sites and irregular shaped parcels containing insufficient square footage to be independently developed.

1. The Real Property Section will prepare an opinion of value on all parcels of land proposed to be sold. If the valuation established by this opinion is less than \$50,000, the Real Property Section will commence negotiations for the sale of said parcel to the adjoining property owners.
2. Should a point of impasse occur during negotiations wherein the offer submitted by the property owner is 75 percent of less than the estimate of reasonable value established by Staff, Staff shall follow the following procedure:
 - a. The Real Property Section will obtain estimates of appraisal cost from two or more independent professional appraisers. If the appraisal costs are reasonable, and the cost of same would not defeat the intent of receiving a more reasonable price, the Agent will re-contact the property owner to determine his interest in acquiring said parcel at a figure to be determined by the appraiser.
 - b. If the property owner is in accord with and agrees to the above procedure, an outside appraisal will be ordered.
 - c. Should the property owner submit an offer to purchase that exceeds 75 percent of the estimate of fair market value established by Staff, the proposal offered will be submitted to the Council together with Staff's recommendations for consideration.

Buildable Parcels: Consisting of parcels which in the opinion of Staff are suitable for residential, industrial, and/or commercial development.

The Real Property Section will prepare an opinion of the value covering each site proposed to be sold up to and including a range of value not to exceed \$50,000.

City of Anaheim

COUNCIL POLICY

**Subject: Appraisals of Excess City-Owned
Land to be Sold**

Policy # 5.4

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Upon completion of the valuations established for each parcel, a list will be prepared and submitted to Council for consideration. When approved by Council, Staff will offer said parcels for sale at fair market value to governmental agencies for open space as called for in Government Code Section No. 54220. If no interest is indicated by governmental agencies, parcels may be offered for sale to the public by sealed bid.

Buildable & Unbuildable Parcels in Excess of \$50,000 Valuation: Pursuant to Section 1222 of the Charter of the City, an independent professional appraiser shall be obtained prior to sale of City-owner property, in each case where the estimate of value indicates that the fair market value of the subject property would exceed \$50,000.

Departures from this Policy: Departures from the above-noted policy must be approved by the City Council.

Reference: Previous Council Policy 215

City of Anaheim

COUNCIL POLICY

Subject: **The Abandonment or Vacation
of Public Easements or Rights-
Of-Way**

Policy # **5.5**
Adopted Date: **01/31/89**
Amended: **06/05/07**

Page (1) of (1)

It is the policy of the City Council that any applicant requesting the abandonment or vacation of any easement, right-of-way or other property interest (collectively referred to herein as “property interest”) by the City shall, as a condition of approval of any such abandonment or vacation, be required to compensate the City in an amount equal to the fair market value of such property interest.

The Real Property Section of the City Engineer’s Office (“Senior Real Property Agent”) shall be responsible for recommending the fair market value of any such property interest and shall provide such information to the City Council and the applicant prior to any decision by the City council to vacate or abandon any such property interest. Final determination of fair market value shall be made by the City Council except where otherwise provided by law. If the Senior Real Property Agent, at his or her sole discretion, determines that an independent appraisal is advisable, or in any case where the Senior Real Property Agent finds that the fair market value of such property interest may exceed One Hundred Thousand Dollars (\$100,000.00), he or she shall order an independent M.A.I. appraisal of such property interest. The cost of any such appraisal shall be borne by the applicant and shall be deemed an obligation of the applicant due and owing to the City.

The requirements of this policy shall not apply (1) to the Summary Vacation of unused easements, (2) to property interests with a fair market value of less than One Thousand Dollars (\$1,000.00), or (3) when the property owner dedicates equivalent easements or rights-of-way on the property to replace the abandoned or vacated easements or rights-of-way.

Nothing contained in this policy shall prohibit the City Council from waiving all or any portion of the compensation payable to City hereunder, for good cause shown, to the extent otherwise permitted by law.

Reference: **Previous Council Policy 216**

City of Anaheim

COUNCIL POLICY

Subject: Sidewalk and Parkway Trees

Policy # 5.6

Adopted Date: 02/25/58

Amended: 10/08/68

05/04/76

08/28/79

07/27/82

07/21/87

06/05/07

Page (1) of (2)

It is the policy of the City Council that the following procedures shall be followed relating to parkway trees and sidewalk repairs. Public Works and the Parks Division shall determine the course of action for the specific tree relative to this policy.

1. Damage to sidewalk, curb or gutter by tree located on private property.
 - a. City staff will determine if a tree should be removed. Such determination shall be based upon likelihood that the tree may continue to cause damage to sidewalk, curb or gutter, or, if not removed, could constitute or create a dangerous condition of public property. If the tree should be removed, the owner will be notified in writing and required to remove the tree at the owner's expense. If the owner fails to remove said tree within the time period specified in said notice, the tree shall be deemed a public nuisance subject to abatement by the City as provided by law.
 - b. Public Works operations will repair damaged City facilities and the owner will be billed according to rates established by Resolution.
2. Damage to sidewalk, curb or gutter by tree located within public right of way.
 - a. City staff will inspect trees and determine if tree shall be removed. City staff will determine repairs needed to hardscape.
 - b. If tree removal request originates from property owner, property owner will be notified of the City's decision relative to request for removal.
 - c. City staff will determine if a replacement tree will be planted. Tree species will be determined by the Parks Division, Urban Forestry section. Tree replacement will be subject to available funding.
 - d. City shall repair the initial damage to sidewalk, curb and gutters at City's cost.

City of Anaheim

COUNCIL POLICY

Subject: Sidewalk and Parkway Trees

Policy #

5.6

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3. Property owner requests to remove parkway tree.
 - a. Request will be made on approved form and submitted to the Urban Forestry section of the Parks Division.
 - b. Upon approval of the Urban Forestry section, property owner will remove tree and repair any damage to sidewalk, curb or gutter caused by said tree removal. As a condition of removal, property owner may be required to replace tree with a species and size specified by the Urban Forestry section.

Reference: Previous Council Policy 701

City of Anaheim

COUNCIL POLICY

Subject: Permit Parking

Policy # 5.7

Adopted Date: 08/07/07

Amended: 05/19/09

01/06/15

12/15/15

Rescinded: 03/27/18

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**Subject: Neighborhood Traffic
 Management Program****Policy # 5.8
Adopted Date: 04/22/08
Amended: 01/06/15****Page (1) of (2)**

It is the policy of the City Council that when traffic-related issues are identified in a neighborhood as a result of vehicle speeding, excessive traffic volumes, and/or unsafe driving, that neighborhood residents will assist in identifying solutions by working with the City to develop a neighborhood traffic management plan (“traffic calming”). Neighborhood traffic management plans require a significant amount of effort to develop and implement. These plans should be applied to legitimate traffic-related issues in neighborhoods and should not be developed to treat an isolated issue, event, or individual.

Information in this Council Policy is described in detail in the City’s Neighborhood Traffic Management Program document which will be available to the residents of Anaheim upon the approval of the City Council.

The City of Anaheim’s Neighborhood Traffic Management Program will facilitate neighborhood involvement through the following steps:

1. City of Anaheim Traffic and Transportation Manager receives a petition form identifying the traffic issue(s) and location(s), with signatures from at least 30% of the residents on the subject street.
2. City staff, at the direction of the Traffic and Transportation Manager, reviews the petition, defines the appropriate boundaries for the study area, and places the “neighborhood” in a queue of requests to be processed. Projects are initiated based on their place in the first-come, first-served queue; however, the queue serves only to initiate the process and does not indicate a priority in project approval, funding, or implementation.
3. Staff identifies the number of requested areas in the queue that can be addressed in a given year based upon budget and staff resources. All requesting parties will be notified of their status. Staff determines the amount of funding available to each study area based on the total amount available during that fiscal year and the relative size of each of the selected areas. Areas not selected remain in the list for possible selection in future fiscal years.
4. Staff notifies all study area residents/property owners and business owners about the selection of their neighborhood area to participate in the traffic calming plan and holds a neighborhood planning meeting. The meeting is intended for staff to provide an overview of the process to develop and implement a neighborhood traffic management plan. At this meeting residents may volunteer for the neighborhood traffic committee (NTC). Members of the NTC should largely be residents or business owners from the study area. The NTC will review the Neighborhood Traffic Calming Toolbox and meet with City staff to review and develop a plan for their neighborhood. Staff will act as advisors to members throughout the plan formulation.

**Subject: Neighborhood Traffic
 Management Program****Policy # 5.8****Page (2) of (2)**

- Although all residents have the opportunity to provide input and receive updates as the plan develops, the NTC is more actively involved, committing the time and effort necessary to develop a comprehensive plan. Residents not selected for the NTC are welcome to attend all meetings, and time will be allocated on the agenda for public comments/questions.
5. City staff collects traffic data on the identified streets, such as: traffic speeds, traffic volumes, and available collision history for the previous years. Staff and the NTC review traffic data within the study area and formulate ideas to address problems. Data regarding the traffic-related concerns will be compared to the traffic calming device guidelines in the approved “toolbox” to determine which measures may be most appropriate.
 6. The NTC, with staff guidance, develops the plan within the constraints of the toolbox device guidelines. The first phase of plan development for the study area considers only non-physical measures (e.g., lane striping, signage, speed legends) and does not require an area-wide survey. The second phase of plan development can include physical measures and requires a funding plan and an area-wide advisory vote.
 7. Staff reviews the NTC plan with affected agencies (Fire Department, Police Department, transit agencies, local school district, and other affected City departments) and reports back to the NTC. The NTC may modify their plan based on affected agency input. Once revised, the NTC presents their traffic calming plan and funding plan to residents of the study area at a “neighborhood” meeting. NTC can revise their plan again after reviewing input from the neighborhood meeting.
 8. Staff assesses the amount of neighborhood support for the proposed plan in the form of mail-in advisory votes. Advisory vote ballots will be distributed to all tenants of record, owners (single and multi-family), and businesses addresses within the study area. The ballots will contain information pertinent to the proposed plan and will ask the recipient to either show support or disapproval of the entire plan.
 9. Staff determines if the following response rates have been met: a minimum of two-thirds of the surveyed households must respond and support the traffic management plan. Staff will assist petitioner(s) by providing a list of persons who did not respond to the surveys, so they may encourage them to vote. If the response rates are not met, then the NTC has one opportunity to modify the plan.
 10. City Council would be asked to approve the plan once neighborhood support has been reached.

Reference: **Resolution No. 2015-004**

City of Anaheim

COUNCIL POLICY

Subject: Water Company Proxies

Policy # 6.0

Adopted Date: 02/19/63

Amended: 06/05/07

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It is the policy of the City Council to designate the Director of Public Utilities as the authorized representative of the City of Anaheim in all of the Water Company Stockholder meetings in companies in which the City of Anaheim owns an interest.

Reference: Previous Council Policy 802

City of Anaheim		COUNCIL POLICY	
Subject:	Government Code §65589.7	Policy #	6.1
	(SB 1087) – Water/Sewer	Adopted Date:	04/17/07
	Service for Low Income Housing Developments		06/05/07
Page (1) of (6)			

I. PURPOSE

The purpose of this policy is to grant a priority for the provision of available and future resources or services to proposed housing developments that help meet the legislative body's share of the regional housing needs for lower income households as identified in the City of Anaheim's Housing Element of the General Plan and any amendments to the Housing Element, pursuant to Title 7, Chapter 3, Article 10.6, Section 65589.7 of the California Government Code (SB 1087). SB 1087 further requires local governments to provide a copy of the adopted Housing Element to their water and sewer providers. SB 1087 was enacted to improve the effectiveness of the law in facilitating housing development for lower income households.

II. SCOPE

This policy is applicable to the following City of Anaheim departments: (1) Public Utilities, Water Services; (2) Public Works; (3) Community Development; and (4) Planning. This policy will affect all proposed developments within the City that include housing units affordable to lower income households.

III. AUTHORITY

This policy is adopted pursuant to the legal requirements of Government Code, Section 65589.7. The policy and procedures shall be updated at least once every five (5) years.

IV. DEFINITIONS

For the purpose of this policy, the following definitions are applicable:

- Affordable Housing Strategic Plan – A plan prepared by the Community Development and Planning Departments and adopted by City Council, which is reviewed and amended as needed, annually. The plan establishes the goal and outlines the objectives for the provision of affordable housing throughout the City of Anaheim.
- Applicant - The person, association, corporation, or governmental agency applying for water service from the Public Utilities Department or sewer service from the Public Works Department

City of Anaheim

COUNCIL POLICY

**Subject: Government Code §65589.7
(SB 1087) – Water/Sewer
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- Housing Element - An assessment of housing needs in the City and an inventory of resources and constraints relevant to meeting those needs, completed by the Planning Department, in coordination with the Community Development Department. The Housing Element identifies the proposed developments that include housing units affordable to lower income households and is provided to both the Public Utilities and Public Works Departments immediately upon its completion or revision.
- Lower income Households – Lower income households has the meaning ascribed to such terms in Section 50079.5 of the California Health and Safety Code as such code may be amended from time to time.
- Master Plan of Sanitary Sewers – A written engineering analysis prepared by the Public Works Department to identify sewer system needs for existing and future dry weather peak flows generated from land uses as permitted by the City’s General Plan.
- Proposed Developments that include Housing Units Affordable to Lower income Households - Dwelling units that shall be sold or rented to lower income households, as defined in Section 50079.5 of the California Health and Safety Code, at an affordable housing cost, as defined in Section 50052.5 of the California Health and Safety Code or successor section(s), or an affordable rent, as defined in Section 50053 of the California Health and Safety Code or successor section(s) as such codes may be amended from time to time.
- Sufficient Sewer Capacity – Sewer capacity is a measure of anticipated sewer flows to be conveyed in sanitary sewer pipes without surcharging and is specified as a ratio of flow depth to pipe diameter, d/D. The City has established certain design limits for this d/D ratio to minimize potential surcharging within the pipes and subsequent sewer spills.
- Sufficient Water Supply - The total water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection

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- that will meet the projected demand associated with the proposed subdivision, in addition to existing and planned future uses.
- Urban Water Management Plan (UWMP) - A plan prepared by the Public Utilities Department every five (5) years in years ending in zero (0) and five (5), pursuant to the California Urban Water Management Planning Act of 1983.
- Water Shortage Emergency - A condition that may be declared by the City whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the Public Utilities Department to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.

V. POLICY

A. General Policy Statement

That the City will not deny or condition the approval of an application for water or sewer services to, or reduce the amount of services applied for, by a proposed development that includes housing units affordable to lower income households, unless the City makes specific written findings that the denial, condition, or reduction is necessary due to the existence of one or more of the following:

- a. The Public Utilities Department does not have sufficient water supply or is operating under a Water Shortage Emergency, or does not have sufficient water treatment or distribution capacity, to serve the needs of the proposed development, as demonstrated by a written engineering analysis and report.
- b. The Public Utilities Department is subject to a compliance order issued by the State Department of Health Services or other local, state or federal agency/body that prohibits new water connections.
- c. The Public Works Department does not have sufficient collection capacity, as demonstrated by a written engineering analysis and

City of Anaheim

COUNCIL POLICY

**Subject: Government Code §65589.7
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report on the condition of the treatment or collection works, to serve the needs of the proposed development.

- d. The Public Works Department is under an order issued by a Regional Water Quality Control Board or other local, state, or federal agency/body that prohibits new sewer connections.
- e. The Applicant has failed to agree to reasonable terms and conditions relating to the provision of service generally applicable to development projects seeking service from the Public Utilities Department or Public Works Department, including, but not limited to, the requirements of local, state, or federal laws and regulations or payment of a fee or charge imposed pursuant to Section 66013 of the California Government Code or successor section(s).

B. Housing Element Adoption

Government Code Section 65589.7 requires that the Housing Element adopted by the legislative body and any amendments made to that element shall be immediately delivered to all public agencies that provide water or sewer service for municipal and industrial uses, including residential, within the territory of the legislative body. Accordingly, the Planning Department continues to coordinate with the Community Development, Public Utilities, and Public Works Departments in developing and updating the Housing Element. This coordination ensures that adequate water and sewer capacity is available to accommodate proposed developments that include housing units that are affordable to lower income households. The Planning and Community Development Departments will coordinate any future amendments to the Housing Element of the General Plan with all applicable water and sewer service providers in order to ensure that sites identified for affordable housing have adequate service available to service housing units constructed during the Housing Element's planning period.

C. Policies for Water Services

The water use projections for the proposed single family and multi-family housing units affordable to lower income households will be included in the Public Utilities Department's subsequent UWMPs, with the next revision scheduled for the year 2010. If a subsequent UWMP identifies the need for the Public Utilities Department to allocate water supplies in the future, priority for uncommitted water supplies (i.e.

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supplies not being used by existing customers) will be granted to applications for water services for proposed developments that include housing units affordable to lower income households.

All developers and applicants, including affordable housing developments, are still subject to California water supply assessment and water supply verification requirements, as applicable. These requirements are authorized by California law (e.g. Section 17556 of the Government Code or successor sections) and are consistent with the overall intent of SB 1087. Developers and applicants shall comply with other provisions as identified in the Department’s Water Rates, Rules, and Regulations.

D. Policies for Sewer Services

All applicants, including proposed developments that include housing units affordable to lower income households, need to comply with all requirements of the Public Works Department’s Master Plan for Sanitary Sewers and associated Financial Implementation Plans and Programs which determine financing mechanisms to construct required sewer improvements, i.e. sewer impact and user fees.

The Public Works Department has developed a program to fund sewer improvements and provide capacity for future developments, including affordable housing projects. The Public Works Department in cooperation with the Planning and Community Development Departments shall determine the phasing and schedule for these improvements based on a number of factors, including but not limited to degree of

existing deficiency, existing maintenance deficiencies, redevelopment and affordable housing development opportunity areas, planned development and project cost.

In cases of insufficient sewer capacity for potential affordable housing development sites where funding is not immediately available to correct the deficiency, the Public Works Department shall make every effort to cooperatively work with City staff, applicants and developers to identify alternative solutions and methods to adequately serve the proposed project.

All developers and applicants, including affordable housing developments, will still be required to pay all applicable sewer impact fees and charges as adopted by Resolutions of the City Council. These fees/charges/requirements are authorized by

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California law (e.g. Section 66000 of the Government Code or successor sections which govern impact fees from not being more than the costs that can be attributed to each new user) and are consistent with the overall intent of SB 1087.

VI. PROCEDURAL GUIDELINES

On a case-by-case basis, the procedure for giving priority to proposed developments that include housing units affordable to lower income households in accordance with the Anaheim Affordable Housing Strategic Plan (as amended from time to time) shall be primarily as follows:

1. New construction multi-family rental housing development;
2. New construction for-sale housing development;
3. Multi-family rental rehabilitation housing development that provides for an increase in the number of units affordable to lower income households;
4. New construction senior housing development;
5. Senior housing rehabilitation development that provides for an increase in the number of units affordable to lower income households.

Other factors that may be considered in prioritizing proposed developments include the level of affordability, the number of units affordable to lower income households, and/or the amount of Agency/City subsidy provided.

Reference: **Resolution No. 2007-040**
 Government Code §65589.7

City of Anaheim

COUNCIL POLICY

Subject: Metal Buildings

Council Policy # 7.0

Adopted Date: 03/22/66

Amended: 06/05/07

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Construction of metal buildings shall be permitted in commercial and industrial zones, subject to the below listed requirements, and to the approval of the Planning Department.

The following standards shall be complied with:

Commercial Zones:

- 1a. Pre-finished panels: Only anodized panels or pre-finished panel with factory baked-on finishes will be allowed.
- b. Field finished panels: Field finished panels shall be finished in a workmanlike manner in accordance with quality standards acceptable to the City of Anaheim and shall have a minimum of 3.5 mil \pm .5 mil thick coating of approved finish material. Specification for finishing shall be submitted concurrently with the building permit application and shall be subject to the approval of the Building Division of the Planning Department.
2. Building fronts shall incorporate and present either a finished parapet or overhang to the street.
3. All roof edges shall be finished with a fascia and/or combination fascia gutter.
4. Finished soffits are required.
5. The use of collateral materials (brick, stone, wood etc.) is required in frontal design.
6. Metal sash is required.
7. Color matched fasteners shall be required.

City of Anaheim

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Subject: Metal Buildings

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Industrial Zone: (Where visible from the public street)

- 1a. Pre-finished panels: Only anodized panels or pre-finished panel with factory baked-on finishes will be allowed.
- b. Field finished panels: Field finished panels shall be finished in a workmanlike manner in accordance with quality standards acceptable to the City of Anaheim and shall have a minimum of 3.5 mil \pm .5 mil thick coating of approved finish material. Specification for finishing shall be submitted concurrently with the building permit application and shall be subject to the approval of the Building Division of the Planning Department.
2. All roof edges shall be finished with fascia and/or combination fascia gutter.
3. All overhands to the street shall incorporate a finished soffit.
4. The use of collateral material is encouraged on the building fronts.
5. Metal sash is required
6. Color matched fasteners shall be required.

Industrial Zone:

1. All metal buildings which meet the California Building Code may be allowed where completely screened from public view.

NOTE: Appeals for exceptions to the above stated policy shall be submitted to the City Council for determination, together with a report and recommendation from the Planning Department at the next regular Council meeting.

Reference: Previous Council Policy 526

City of Anaheim

COUNCIL POLICY

Subject: **Prohibiting Time Limit On
Motel/Hotel Occupancy**

Policy # **7.1**
Adopted Date: **03/25/03**
Amended: **06/05/07**

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It is the policy of the City Council that no zoning entitlement for any hotel or motel shall be approved, and no existing zoning entitlement for any hotel or motel shall be amended, in any manner which would require the owner or operator of such hotel or motel to limit the length of occupancy of any guest herein to any specific period of time. Nothing contained herein shall be deemed to prohibit any limitation on the term of any zoning entitlement.

The term “zoning entitlement” as used herein shall mean any zoning reclassification, conditional use permit, zone variance, administrative adjustment, or other discretionary entitlement approved by the City Council, City Planning Commission or Zoning Administrator pursuant to any provision of the Anaheim Zoning Code.

Reference: **Previous Council Policy 550**

City of Anaheim

COUNCIL POLICY

Subject: Self-Storage Facilities

Policy # 7.2

Adopted Date: 09/22/98

Amended: 06/05/07

Page (1) of (1)

Self-storage facilities may continue to be permitted in the C-G (Commercial General), and I (Industrial) Zones subject to the approval of a conditional use permit. The unique and opportune design features of self-storage facilities are most appropriate for irregularly-shaped properties which may further be constrained by accessibility or visibility and which may not be suitable for conventional types of development. A limited number of these types of properties are found in commercial and industrial zones. Provided there does not appear to be other viable or strategic uses of the property, the architecture of the facility is of high quality, the use is appropriate and compatible with its surrounding land uses, and the facility is in compliance with all Zoning Code Development Standards (including setbacks where possible, signage and landscaping), self-storage facilities may be conditionally permitted in the C-G, or I Zones.

Reference: Previous Council Policy 4X